

On Sunday, December 3, 2006, an article was published in the Seattle Times, referring to guardianship cases filed in King County Superior Court. There are more than 800 guardianships filed each year in Superior Court. The Superior Court has had guardianship monitoring processes in place for several years. Several avenues exist for the public to register complaints against guardians, and there is both a King County Superior Court and a State of Washington complaint process, to assure all complaints are investigated and acted upon, in a timely manner. The Superior Court also has internal management processes in place, to assure that requirements placed on the guardian to file periodic reports are satisfied.

Guardianship Cases (Seattle & Kent)

Year	Filed	Resolved
2006	586 to Date	530 to Date
2005	831	743
2004	832	821
2003	984	839
2002	885	856

Complaints Received

- Complaints against guardians may be received by the Ex Parte Department via letter, motion, or during a court hearing.
- GAL complaints are received by the GAL Registry Manager, Beth Custer, and are sent to the Presiding Judge for review. The complaint process is handled independent of the appointment of a guardian. There was 1 Title 11 Guardianship complaint in 2005 and 1 in 2006.
- Superior Court has been notified of 3 disciplinary actions by the State of Washington Certified Professional Guardian (CPG) Board in 2006.

Guardian Complaint Process

King County Superior Court Process

- Anyone who has a complaint about a guardian and wishes to have the guardian replaced or have the guardianship terminated, may either set a hearing, or if unrepresented, may simply write a letter to the Clerk.
- In King County, the Clerk presents those letters to the Ex Parte Department, and per RCW 11.88.120 (3), the court may set a hearing, appoint a GAL or dismiss the action if it is deemed frivolous.

- The CPG Board is notified via letter from the Ex Parte Department if a guardian is removed for cause. The Board may also be notified even if the guardian was not removed but there are concerns about the guardian's conduct.

State of Washington Process

- In almost all cases, the Superior Court is the main venue for grievances about the actions of guardians. Complaints made to the Certified Professional Guardian Board will generally be referred first to the superior court in the appropriate county, for initial review and recommendation.
- Superior Court is notified when the CPG Board has taken disciplinary action against a guardian. The Ex Parte Manager works with the Clerk's Office to determine if the guardian is appointed on any open cases and if so, reviews the cases with the Commissioners.

Guardianship Case Review Process

- Our court Facilitators provide written instructions and meet with lay guardians who need assistance in meeting court requirements, such as completion of reports.
- The Clerk's Office automatically tracks guardianship, probate and trust files for compliance with certain deadlines, such as the requirement to file periodic reports. If the deadline is missed, the case is automatically set on the Review/Delinquency calendar and the guardian, trustee, or personal representative is notified.
- Our court Facilitators and attorney volunteers review Guardianship, trust, and probate files that are on the Review/Delinquency calendar for compliance with law and rules. They prepare proposed orders and present them to the Commissioners for review. Cases that meet specific criteria will be scheduled on the Review/Delinquency Calendar.

Guardianship Monitoring Program

- The guardianship monitoring program is a volunteer program, lead by retired Commissioner Maurice Epstein and is currently under the supervision of DJA. The program is based on a national model, in a form suggested by AARP.
- Currently these volunteers provide assistance with locating new addresses and phone numbers for lay guardians who are not reporting to the court in a timely manner. They also call to remind lay guardians when their reports are overdue.
- Our court's Facilitator program, under the direction of Jorene Moore, is currently in the process of taking over responsibility for supervising these volunteers and this program.